



Meeting Date: November 17, 2020

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

Through: Tara Vargish, Director, Development Services

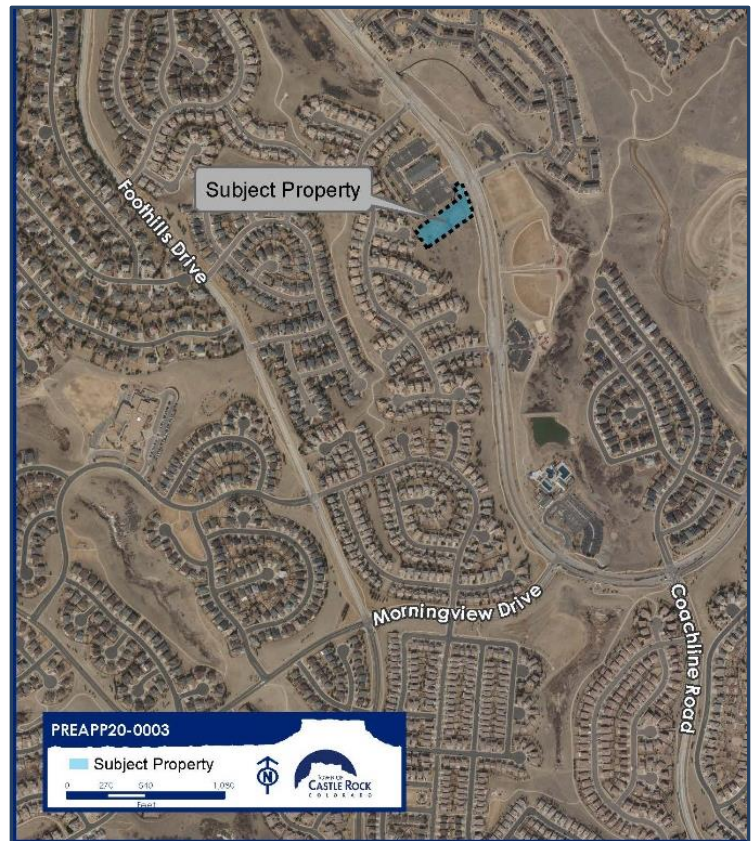
From: Sandy Vossler, Senior Planner, Development Services Department

Title: Resolution No. 2020 - __: A Resolution Approving Lot 2A & 2B, Block 1, The Meadows Filing No. 11, Parcels 8 & 9 Site Development Plan [Daycare Located Southwest of Meadows Boulevard and Painthorse Drive]

Executive Summary

On October 22, 2020, the Planning Commission voted 6-0 to recommend approval of the Site Development Plan (SDP). No members of the public joined the meeting to address the Commission. Staff received a few email statements in opposition to the proposed use, which are included in this report as Attachment C.

Castle Rock Development Company, on behalf of Aspirant Development, is seeking approval of a Site Development Plan for a property located southwest of the intersection of Meadows Boulevard and Painthorse Drive (**Attachment A**). The Site Development Plan (SDP) proposes a single story 10,000 square foot (sf) daycare center, an outdoor play area and associated parking, landscaping and infrastructure (**Attachment B**).



Vicinity Map

This proposed development is subject to the Residential/Non-Residential Interface Regulations (Interface Regulations) which requires the SDP to be reviewed by Planning Commission and Town Council with respect to mitigation measures on site and within the required buffer area. Public hearings are required before the Planning Commission and Town Council in order to take public testimony and consider the effectiveness of the proposed Interface mitigation measures proposed with the site plan.

Notification and Outreach Efforts

Public Notice

Public hearing notice signs were posted on the property and written notice letters were sent to property owners and Homeowner Associations (HOA) within 500 feet of the property, at least 15 days prior to the public hearings. Town staff published notice of the Planning Commission and Town Council public hearings on the Town's website and provided information about the proposal on the Town's *Development Activity* interactive map.

Neighborhood Meetings

The applicant has held two neighborhood meetings. A neighborhood meeting was scheduled and noticed for March 17, 2020. Due to concerns related to COVID19 and the rapidly changing social distancing, limits on group gatherings and Safe at Home executive orders being released by the Governor's office at that time, this first neighborhood meeting was cancelled and waived.

Subsequent neighborhood meetings were held via a virtual format on June 17th and September 3rd. Members of The Learning Experience team attending both meetings including the project manager, civil engineer, architect and site selection staff. RC Hanisch of Castle Rock Development Company, the master developer, and Town Development Services staff also participated.

Three residents participated in the June 17th meeting, at which the applicant describe the operation of the daycare facility, the size and design of the building, and construction of parking on both lots. They discussed that this site was selected because of the proximity to residential development, easy access to, and circulation through the property and the lack of traffic congestion. Regarding the design measures used to mitigate impacts on the residential properties, the applicant described the proposed privacy fence, landscape screening, significant drop in elevation to the site, type and location of light fixtures, with house side shields, after hours light reduction, and the location of the parking. The residents discussed the options for screening the property and provided consensus that they preferred more natural methods of screening such as evergreens and open sight lines over the property instead of a 6-foot privacy fence. The residents asked questions about the building height, number of children, the height of the trees to be planted, noise decibels of children at play, permitted uses, period of construction and what would happen if the business failed.

The next neighborhood meeting held on September 3rd included two residents. The applicant presented the same background information about the daycare daily operations and the elements of the site design. The changes made to the Interface buffer as a result of input from the first meeting were pointed out, specifically, the removal of the privacy fence and the addition of nine evergreens a minimum of 8 feet at planting. The 20-foot Interface buffer was pointed out and again the significant drop in elevation was described. The residents asked about the parking lot lighting and landscaping, the review process, landscape maintenance, and when construction might begin.

Support for the development was mixed at both neighborhood meetings. The opposition was more about the non-residential uses permitted by the zoning on the site and less about the SDP. It was expressed that commercial uses on Meadows Boulevard would negatively impact the neighborhood feel of the unique neighborhoods in the Meadows and that commercial development should be limited to the Town Center. Staff has received two emails opposing the project (**Attachment C**).

External Referrals

External referrals were sent to local service providers and Douglas County agencies, as well as the Meadows Neighborhood Company HOA (MNC). Staff received responses of "No Comment" from the Colorado Department of Transportation (CDOT), the MNC, Douglas County Community Development and Planning, Intermountain Rural Electric (IREA), Black Hills Energy, and Xcel Energy. There are no outstanding external referral comments.

History of Past Town Council, Boards & Commissions, or Other Discussions

Planning Commission held a public hearing on Thursday, October 22, 2020. No members of the public joined the meeting to offer comments. Following the neighborhood meetings staff received some emails from adjacent neighbors objecting to the non-residential development of the property and expressing concern over the potential decibel levels of the noise generated by the children in the play yard. Some commissioners discussed the proximity of the pedestrian crossing of Meadows Boulevard nearest the site. The Commission found the Interface measures proposed with the site plan to be effective and appropriate in mitigating the impacts of the daycare use adjacent to the residential development of Harris Grove. The Commission voted 6-0 to recommend to Town Council approval of the site plan, as proposed.

Background

Existing Conditions and Surrounding Uses

This property is currently undeveloped. The site slopes from west to east with a maximum elevation drop of approximately 40 feet. Vegetation on the site includes short native grasses and scattered clusters of Gambel oak.

A narrow portion of the lot along the west property line is within the Minor Ridgeline of the Skyline Ridgeline Protection area. No part of the building, retaining walls or other site improvements are located in the Minor Ridgeline. The 20-foot Interface buffer and landscape screening is located on this portion of the property. The boundaries of the Minor Ridgeline are shown on sheet 2 of the SDP (**Attachment B, Exhibit 1**).

This site is surrounded by PD zoning established by the Meadows 3rd and 4th Amendments. Adjacent to the site on the north is the Church of Jesus Christ of Latter Day Saints and parking lot, constructed in the early 2000's. For comparison purposes, the church is about 25,000 sf. The Learning Experience site abuts the Meadows Boulevard ROW, a major four lane arterial to the east. Beyond Meadows Boulevard, further to the east, are the ball fields of Paintbrush Park and the Morgan's Run townhomes. The property is being divided into two lots. The lot abutting the daycare lot on the south side will be a non-residential use. To the west is a HOA

owned open space tract of varying widths. The Harris Grove neighborhood of single-family detached homes is adjacent just beyond the open space tract.

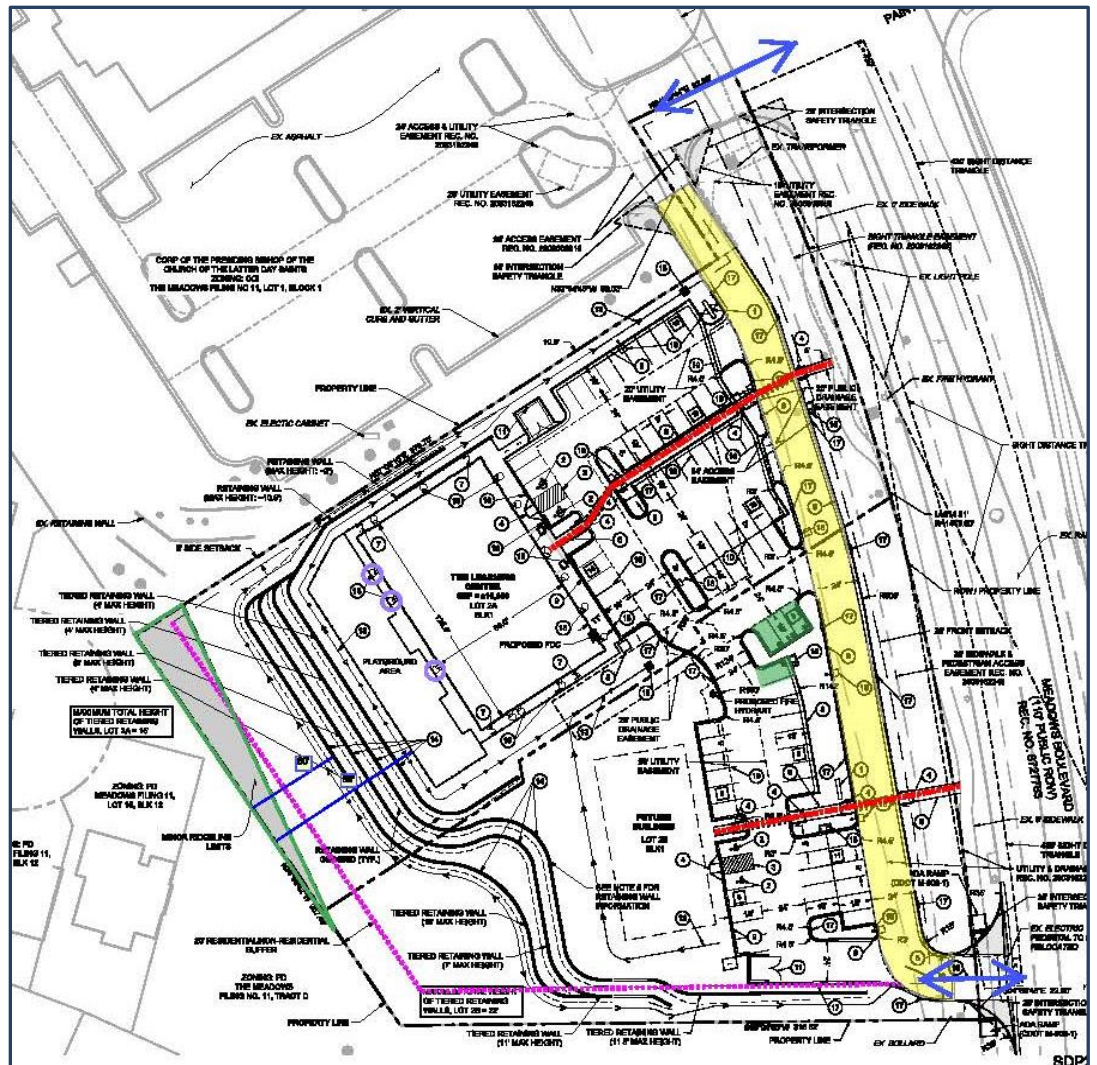
Zoning Regulations

The property is zoned Planned Development (PD) under the Meadows 4th Amendment and is within a Commercial and Office Use Area. Daycare is a permitted use by right. The PD allows a maximum height of 60 feet and maximum building coverage of 60% within this use area. As discussed below, the proposed daycare development is well below these allowances. Setbacks are to be established with the SDP.

Discussion

Site Development Plan

The three-acre property is located on Meadows Boulevard, south of Painthorse Drive, adjacent to the Church of Jesus Christ of Latter Day Saints. The zoning on the property allows commercial and office uses. Concurrent with the SDP process, the property is being replatted and subdivided into two lots. Lot 2A, the location of the proposed daycare, is approximately 1.71 acres (ac.) and Lot 2B is approximately 1.40 ac.



Site Plan

The site plan proposes a 1-story 10,000 sf building, with an outdoor play area of approximately 5,000 sf. The daycare will operate Monday through Friday, and will provide care for approximately 165 children, newborn to five years old. See the Zoning Comparison Table and Site Utilization Table on sheet 1 of the SDP for all development standards for the proposal.

Parking lots will be constructed on both lots with development of the daycare center, providing a total of 80 spaces. The required parking for the daycare is 53 spaces, 49 of which are on Lot 2A, with an additional four identified on Lot 2B (see green highlighted space on illustration on page 4). The Municipal Code allows the total number of parking spaces for uses to be spread over separate lots as long as ownership or other means guaranteed continued parking provisions. The plat establishes a cross access and parking easement on both lots. Full development of Lot 2B will occur in the future, at which time this SDP must be amended. If, depending on the new use, the number of spaces required exceeds the remaining 30 spaces on Lot 2B, it will be necessary for that SDP amendment to include additional parking on the property.

There are two access points proposed, both from Meadows Boulevard (blue arrows). The existing entry drive to the Church, along with an existing easement, provides access from the north to the site. The north entry drive aligns with Painthorse Drive across Meadows Boulevard and will continue to operate as a full movement intersection. A new curb cut and entry drive at the southeast corner of Lot 2B will provide the second access point, that will be a right-in/right-out access only. A drive aisle linking both access points and traversing both lots will provide effective traffic circulation and disbursement (highlighted in yellow). A walkway will connect each lot to the sidewalk along the right-of-way (ROW) (red dashed line).

Except for the parking lot landscaping, this report focuses on the full site landscaping of Lot 2A, since Lot 2B will be fully landscaped when it is built out in the future. Town criteria require a minimum of 10% of a non-residential site to be landscaped. Approximately, 59% of Lot 2A will be landscaped or reseeded with native seed. The landscape plan exceeds the number of trees required, in part to provide screening per the Interface Regulations. Based on requests from neighbors at a neighborhood meeting, the screening between the daycare and the residential neighborhood to the west will be achieved through the planting of evergreens a minimum of 8-feet tall at planting. The neighbors' consensus was that privacy fencing not be installed adjacent to their street, as they preferred a more natural screening.

Town criteria also requires 10% of the parking lot be landscaped, as well as the property frontage and any ROW that has not been previously landscaped to reduce the heat island effect and provide shade for pedestrians. Shade and ornamental trees, shrubbery and perennials comprise about 17% of the parking lot landscaping on Lot 2A and about 41% of the parking lot on Lot 2B. The trash enclosure on Lot 2B is screened to the west and south with evergreens. The remainder of the Interface screening on Lot 2B will be designed and added with the future development of that lot.

Landscaping along the street frontages of both lots will be installed with the development of the daycare. Where not encumbered by utility lines, shade trees will be clustered and planted in flower beds. A technical criteria variance was granted to allow a reduction in the number of street trees required due the extension utility easement along the ROW and property frontage, as well as the presence of sight distance easements.

The single story building has a low profile and a maximum height of 25 feet. The building coverage is approximately 13% of the site. The elevations include fenestrations and a variety of materials that add interest and provide structural and visual relief. The flat roofline is punctuated with parapets. Four-sided architecture includes a combination of brick and

textured EIFS, vertical brick columns, lap siding and awnings. Canvas awnings cover two patios at the rear of the building adjacent to the play yard. Trash enclosures on the site incorporate the brick and EIFS treatments of the primary building with gates painted to match the building trim.



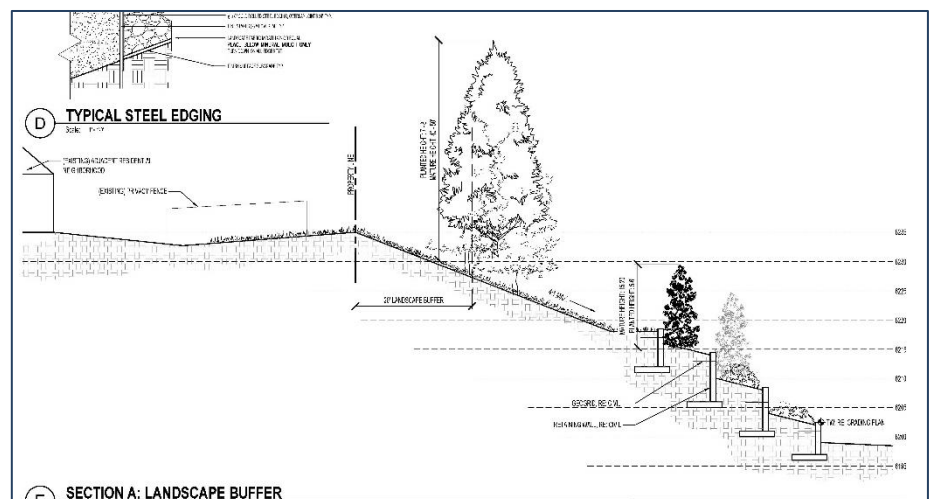
East-Facing Building Elevation

The site lighting includes 20-foot pole fixtures in the parking lot, recessed fixtures under the entry door canopy, and wall packs above all exterior doors. All fixtures are full cut-off and there are no forward throw fixtures. Except for fixture required for safety and security, all fixtures will turn off 30 minutes after the close of business and turn on 30 minutes before the opening of business.

Residential/Non-Residential Interface Mitigation

The intent of the Interface Regulations is to mitigate, not eliminate, the impacts between residential and non-residential activities and land uses through the use of buffers and other site design methods. The Interface Regulations apply to proposed non-residential site plans adjacent to residential uses. Properties are considered adjacent if they share a property line, are separated by open space less than 250 feet in width, or a street ROW classified as a minor arterial, collector or local street. The open space tract between Lots 2A and 2B varies but is generally less than 250 feet in width, making this SDP subject to the Interface Regulations, and public hearings before the Planning Commission and Town Council.

In addition to the open space tract between Lot 2A and the nearby neighborhood, there is a 90-foot horizontal separation from the rear property line to the outdoor play area and another 40 feet to the building. Within the 90-foot separation is the mandated 20-foot Interface buffer that includes nine evergreens, each a minimum of 8-feet at planting. Also within that 90-foot separation and facing away from the nearby homes is a series of four, 4-foot retaining walls,



Interface Buffer, Retaining Walls and Elevation Drop

tiered to take up the 35-foot elevation change between the residences above the daycare pad below.

Although Lot 2B will not be fully built out at this time, a 20-foot Interface buffer has been applied and the drive aisle, parking spaces and trash enclosure have been located outside of that buffer. As previously noted, the Lot 2B trash enclosure will be screened initially with evergreens on the west and south sides. The proposed parking lot landscaping will provide some screening, especially from the cross access drive aisle, and as with Lot 2A, the 30-40-foot elevation change and the distance between the parking lot and nearest residential properties will also mitigate parking lot activity on Lot 2B. Once Lot 2B is proposed for additional development, the remainder of the landscaping and Interface treatments will be designed. The Interface migration measures can then be designed and located where they will be most effective and most responsive to the neighbor's feedback that will come at future neighborhood meetings.

Analysis

This proposed Site Development Plan is subject to the review and approval criteria of Chapter 17.38 of the Town of Castle Rock Municipal Code. The following is a summary of how this SDP meets the criteria for approval.

Community Vision and Land Use Entitlements (17.38.040.A)

This proposed site plan conforms the Town's guiding documents as it supports and diversifies the local economy through job creation and demonstrates responsible growth and a balance of uses by providing a family-oriented business in proximity to the residents it may serve. Since it is located within a Planned Development, the potential use has already been taken into consideration during infrastructure planning and proximity to police, fire and other emergency services. A key component of responsible growth is accommodation of the needs of existing and future residents, development of cohesive neighborhoods with a mix of uses and orderly, fiscally responsible growth. The proposal achieves all of these goals.

As already described, the use and development standards comply with the Meadows PD Zoning regulations and the requirements of the Skyline Ridgeline Protection Ordinance. The architecture uses high quality materials and the building elevations are designed to provide 360 degree architectural elements.

Site Layout (17.38.040.B)

The building faces Meadows Boulevard with two points of access to the site. Pedestrian access to the building is provided by a walkway connection to the public sidewalk, clear crosswalk striping across drive aisles and a separated walkway install between backs of parking spaces on the north side of the parking lot. The two access drives and cross access will provide efficient traffic circulation on the site and options for emergency access.

The construction of the daycare facilities and site improvements will include the construction of an additional parking lot on Lot 2B. The required number of parking spaces for the daycare has been met with 49 spaces on the site and 4 additional spaces allocated on Lot 2B, as is

permitted by the Municipal Code. Future development of Lot 2B will need to account for and recognize the spaces provided for the daycare.

The site landscaping meets the Town's requirements for the site, the parking lot and the streetscape. Additional landscaping has been added to help achieve the Interface screening. Appropriate trash enclosures are proposed to screen the trash receptacles. Landscaping will screen the ground mounted transformer. The rooftop units will be screened by the roofline parapets and painted to match the roof material, so they are less visible from the higher elevations to the west.

Site lighting meets the Town Illumination Code and will also include house side shields. All fixtures are full cut-off and will be on a timer to cycle off 30 minutes after, and on 30 minutes before, the hours of operation. The monument sign adjacent to Meadows Boulevard will be up-lit, however the fixtures will have louvers to reduce glare.

➤ *Residential/Non-Residential Interface (17.48.040 through 17.48.070)*

As noted previously, development on the property is subject to the Residential/Non-Residential Interface Regulations. The purpose of the Interface Regulations is to mitigate impacts between residential and non-residential uses in a way that creates a visually attractive and interesting interface between the two uses. It is not intended to, nor is it practical, to completely hide an entire building or land use. The Code promotes compatibility by minimizing undesirable uses and activities through the use of walls, building orientation, screening and architectural detailing.

The site plan meets the intent of the Interface Regulations. The building and parking lot is oriented toward Meadows Boulevard and away from the residences. The outdoor play area to the rear of the building is placed 70 feet beyond the required 20-foot Interface buffer to the west. The significant drop in elevation across the property will be taken up with a series of tiered retaining wall that face the daycare building. The walls, with landscaping between the tiers will add to the Interface buffer and serve to reduce noise.

Evergreens planted along the west property line within the Interface buffer will provide natural transitional screening of the site from the adjacent neighborhood. In response to the adjacent neighbors, a privacy fence or wall will not be installed.

The maximum height of the building will be 25 feet, although the PD zoning regulations would allow 60 feet. Combined with the elevation drop across the property, the improvements on the site should not obstruct view corridors to the east. Finally, the building's architecture provides 4 sided design with brick and EIFS materials. Clear base, middle and top horizontal delineation as well as vertical columns and parapets add visual interest and break up the plane of the exterior walls. Awnings, patio covers and the entrance canopy distinguish the doors and window openings.

Circulation and Connectivity (17.38.040.C)

The cross access drive and layout of the parking lots and drive aisles connecting both properties create safe circulation on the site. Sidewalk connections, interior walkways and

clear striped cross walks provide clear and safe pedestrian access to the site and the building entrance. Fire has reviewed and accepted the two points of access to the site and is satisfied with their ability to access all sides of the building. A fire connection unit is located at the southwest corner of the building.

Services, Infrastructure and Transportation Capacity (17.38.040.D)

Technical drainage, utility and traffic reports were submitted with the SDP to the Town for analysis. The reports examine the potential impacts of the proposed development on existing and future infrastructure capacity. Development of this site as office or commercial uses was anticipated in the design of the water, wastewater and storm water systems that will serve the site, so the capacity can accommodate this proposed daycare.

The 490-foot spacing between the existing Painthorse Drive/church entry drive and the proposed right in/right out on Lot 2B exceeds the minimum 400 feet required by the Town. Public Works staff further evaluated the Traffic Impact Analysis and are satisfied that levels of service operations at the Meadows Boulevard/Painthorse Drive intersection will remain a LOS C or better. LOS C is deemed good and represents motorists will wait 25 seconds or less, on average, to proceed onto Meadows Boulevard. Staff supports the conclusion that the development will not have measurable transportation impacts, the intersection movements will continue to operate well, and other operational improvements, such as a dedicated right turn lane into the site, are not necessary.

At the conclusion of the review process, Town Utility and Public Works engineers have reviewed and accepted the reports and analyses for this project, determining that water, sewer, storm sewer and road systems are sufficient to accept the demand of this development.

Open Space, Public Lands and Recreational Amenities (17.38.040.E)

All open space and public land dedications for the Meadows PD have been satisfied. Recreational amenities have been developed to serve the community and there are no additional requirements associated with the development of this property.

Budget Impact

Development of the property will generate review and impact fees, along with use taxes for commercial development. Other ongoing costs of serving the property, in terms of public infrastructure and services, will be comparable to similar developments in Castle Rock.

Findings

All staff review comments and external referral comments have been addressed. Planning Commission found that the proposed Site Development Plan for Meadows Filing No. 11, Parcels 8 and 9, Block 1, Lots 2A and 2B addresses the following:

- Conforms with the objectives of the Town Vision and the Comprehensive Master Plan,
- Meets the requirements of the Meadows Preliminary PD Site Plan and PD Zoning Regulations, Amendment No. 4,

- Meets the review and approval criteria of the Municipal Code, Chapter 17.38 and 17.50, and
- Adequate water, wastewater, storm sewer and road infrastructure exists or is proposed with this project to serve the property.

Recommendation

Planning Commission voted 6-0 to recommend to Town Council approval of the Site Development Plan, as proposed.

Proposed Motion

I move to approve the Resolution, as introduced by title.

Attachments

Attachment A: Vicinity Map
Attachment B: Resolution
Attachment B: Exhibit 1: Site Development Plan
Attachment C: Resident Emails